



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/654,102	08/31/2000	Richard Prentiss Jensen	40288/DWR/D453	5674

23363 7590 12/29/2003

CHRISTIE, PARKER & HALE, LLP
350 WEST COLORADO BOULEVARD
SUITE 500
PASADENA, CA 91105

EXAMINER

LE, DEBBIE M

ART UNIT	PAPER NUMBER
----------	--------------

2177

DATE MAILED: 12/29/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/654,102

Applicant(s)

JENSEN ET AL.

Examiner

DEBBIE M LE

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

Applicants arguments filed on 10/16/03 (pp# 5). Claims 17-25 are newly added. Claims 1-25 are presented for examinations.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gill et al (US Patent 6,081,262) in view of Ogilvie et al (US Patent 6,324,569 B1).

As per claims 1 and 21, Gill discloses a system and method for generating multimedia presentations comprising:

creating a single output file (col. 3, lines 10-14);

copying executable code to the output file (col. 3, lines 15-17);

writing destination information to the output file to designate the destination directory of the executable file (col. 3, lines 17-20)

writing plural blocks of data to the output file (col. 3, lines 37-40), each block containing identification information and corresponding data (col. 4, lines 12-14);

writing auto-start file information to the output file to designate a file to be opened when the output file is executed, if an auto-start file is specified by an author (col. 3, lines 49-52);

wherein the plural blocks of data include presentation slides for use in displaying the presentation to the user (col. 6, lines 53-55);

wherein the plural blocks of data include first multimedia data (static object) that is associated with a first slide on the presentation, wherein the first multimedia data to be presented to the user based upon presentation of the first slide to the user (col. 5, lines 56-60);

wherein the plural blocks of data contain second multimedia data (dynamic object) that is associated with a second slide of the presentation (col. 3, lines 61-67); wherein the second multimedia data is to be presented to the user based upon presentation of the second slide to the user (col. 9, lines 5-54).

Gill does not explicitly teach writing a block containing a clean-up program to the output file if the destination information corresponds to a temporary file. However, Ogilvie teaches writing a block containing a clean-up program to the output file if the destination information corresponds to a temporary file (col. 5, lines 6-67, col. 6). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Gill with Ogilvie to implement the step of writing a block containing a clean-up program to the output file if the destination information corresponds to a temporary file in order to dispose burden off the shoulders of the recipient (col. 2, lines 39-46).

As per claim 2, a method of claim 1, Ogilvie teaches writing plural blocks comprises writing the corresponding data in a compressed format (col. 5, lines 10-12).

As per claim 3, a method of claim 1, Ogilvie teaches writing the blocks comprises writing a block start flag for each block (col. 5, lines 27-30).

As per claim 4, a method of claim 1, Ogilvie teaches including receiving user input to identify the destination directory (col. 7, lines 12-22).

As per claim 5, a method of claim 1, Gill teaches writing a source-identifying block to the output file to indicate the source of the file (col. 4, lines 16-22).

As per claim 6, a method of claim 1, Gill teaches running the executable code to identify one of the blocks (col. 4, lines 22-26); processing identification information contained in the block to determine the contents of the block (col. 4, lines 26-30); reading the data in the block and creating a corresponding directory if the block is a

destination directory block (col. 10, lines 1-3); saving the information in the block if the information contains auto-start path information (col. 10, lines 11-61).

Gill does not teach decompressing the data in the block and writing the decompressed data to an appropriate directory if the block is a compressed file block. However, Ogilvie teaches decompressing the data in the block (col. 16, lines 8-15) and writing the decompressed data to an appropriate directory if the block is a compressed file block (15-17). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Gill with Ogilvie to implement the step of decompressing the data and writing the decompressed data to an appropriate directory because without the decompression function, the data is useless to a user. It does not provide the function of displaying the message.

Gill does not explicitly teach writing the data in the block to a temporary directory if the block contains a clean-up program. However, Ogilvie teaches writing the data in the block to a temporary directory if the block contains a clean-up program (col. 5, lines 6-67, col. 6, col. 15, lines 51-67, col. 16, lines 1-8). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Gill with Ogilvie to implement the step of writing the data in the block to a temporary directory if the block contains a clean-up program in order to dispose burden off the shoulders of the recipient (col. 2, lines 39-46).

As per claim 7, a method of claim 6, Ogilvie teaches beginning a display of data at a preselected position, determining a current position of the display, comparing the determined position with a set of event data for the respective digital assets, displaying

one of the digital assets based on the comparison of the position with the event data (col. 7, lines 52-64, col. 8, lines 12-19); calculating a timeout based on the determined position and the event data, setting a clock to fire upon reaching the timeout; initiating a polling process when the clock fires to determine the position of the display; displaying a different digital asset based on a comparison of the determined position with the event data; and calculating a new timeout and resetting the clock to fire upon reaching the new timeout (col. 11, lines 34-67).

As per claims 8-9, a method of claim 6, Ogilvie teaches determining whether the data corresponds to temporary directory, and creating an entry to execute the clean-up program if the data corresponds to a temporary directory, determining whether the clean-up program is needed, and writing the clean-up program to the temporary directory only if it is needed (col. 5, lines 6-67, col. 6, col. 15, lines 51-67, col. 16, lines 1-8).

As per claim 10, a method of claim 6, Ogilvie teaches determining after the blocks have been written to the appropriate destinations, if an auto-start file is specified, and opening the auto-start file if it is specified (col. 16, lines 8-20).

As per claim 11, a method of claim 6, Rubstein teaches processing a source-identifying block to verify the source of the executable file (col. 4, lines 16-22).

As per claim 12, Gill teaches

Providing the executable file including executable code (col. 3, lines 15-17) and a plurality of blocks of data (col. 3, lines 10-14);

Running the executable code to identify one of the block (col. 4, lines 22-26);

Processing identification information contained in the block to determine the contents of the block (col. 4, lines 26-30);

Reading the data in the block and creating corresponding directory if the block is destination directory block ();

wherein the plural blocks of data include presentation slides for use in displaying the presentation to the user (col. 6, lines 53-55);

wherein the plural blocks of data include first multimedia data (static object) that is associated with a first slide on the presentation, wherein the first multimedia data to be presented to the user based upon presentation of the first slide to the user (col. 5, lines 56-60);

wherein the plural blocks of data contain second multimedia data (dynamic object) that is associated with a second slide of the presentation (col. 3, lines 61-67); wherein the second multimedia data is to be presented to the user based upon presentation of the second slide to the user (col. 9, lines 5-54).

Gill does not explicitly teach decompressing the data in the block and writing the decompressed data to an appropriate directory if the block is compressed file block. However, Ogilvie teaches decompressing the data in the block (col. 16, lines 8-15) and writing the decompressed data to an appropriate directory if the block is a compressed file block (15-17). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Gill with Ogilvie to implement the step of decompressing the data and writing the decompressed data to an

appropriate directory because without the decompression function, the data is useless to a user. It does not provide the function of displaying the message.

Claims 13-14, 18 have similar limitations as claims 8-9; therefore, they are rejected by the subject matter.

Claims 15-16 have similar limitations as claims 10-11; therefore, they are rejected by the subject matter.

As per claim 17, Ogilvie teaches wherein the executable file was provided to the host web site, wherein the host web site streams the decompressed data to the user (fig. 2).

As per claims 19-20 and 23-24, Gill teaches wherein the first multimedia data is audio and video data to be played to the user based upon presentation of the first slide to the user and wherein the second multimedia data is audio and video data to be played to the user based upon presentation of the second slide to the user (col. 6, lines 5-20).

As per claim 21, Gill teaches copying executable code to the output file (col. 3, lines 15-17).

As per claim 25, Gill teaches writing auto-start file information to the output file to designate a file to be opened when the output file is executed, if an auto-start file specified by an author, wherein the first display data includes a presentation slide, wherein the second display data includes a presentation slide (col. 3, lines 49-52).

Response to Arguments

Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection. Gill et al (US Patent 6,081,262) is a new introduced prior art.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

If a reference indicated as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose phone number is (703) 305-9601 for faster service.

Application/Control Number: 09/654,102
Art Unit: 2177

Page 10

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DEBBIE M LE whose telephone number is 703-308-6409. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN BREENE can be reached on 703-305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



Debbie Le

Dec. 15, 2003.

DEBBIE M LE
Examiner
Art Unit 2177



GRETA ROBINSON
PRIMARY EXAMINER